

REMARKS

This application, as amended herein, contains Claims 1-9, and newly added Claims 10-28.

Claims 1-4 were rejected under 35 U.S.C. 112, second paragraph. By amendment herein the phrase "can be loaded" has been replaced by --are loaded--. In view of this amendment to Claim 1, it is submitted that Claims 1-4 are now definite within the meaning of 35 U.S.C. 112.

Claims 1-9 were rejected under 35 USC 102(b) as being anticipated by Hallikaian et al. (WO 95/19096). This rejection is respectfully traversed.

not in the claim → A key feature of Applicants' invention, as set forth in independent method Claim 1, and independent apparatus Claim 5, is to load the audio parameters to the signal processing unit according to the type of auxiliary device which is connected to the electronic device. In claims 1 and 5, as amended herein, the audio parameters are loaded either from an auxiliary device. The advantage over the prior art is that it is possible to set the audio properties for an electronic device which is already in use. Thus, the best possible audio parameter settings are attained even for electronic devices in use.

In other words, independent claims 1 and 5 clearly differ from the cited references. Claims 1 and 5 specifically recite that audio parameters are loaded into a digital signal processor from the auxiliary device. In other words, the main differences are that the audio parameters are loaded from outside and that they are loaded into the digital signal processor. Hallikaian et al. does not mention the act of loading the audio parameters into the digital signal processor, but merely states that the signal level is set from among different signal level settings of the mobile station based on the identification of the auxiliary device.

Referring more specifically to Hallikaen et al., the method disclosed therein is based on the fact that the signal levels suitable for the different auxiliary devices have been stored in the mobile station, and when the auxiliary device is coupled to the mobile station, the type of the auxiliary device is identified. Then the mobile station retrieves a value corresponding to the auxiliary device in question from the stored information and adjusts the level of the audio signal accordingly. In Hallikaen et al., it is clear that a predetermined value is used for each auxiliary device, the value being stored in the mobile station. This requires a great deal of storage space for an assortment of auxiliary devices. Further, when a new device is developed the data is not in the mobile phone.

Thus, as specifically noted above, the best possible audio parameter settings may be obtained even for a mobile telephone which is already in use; that is it has been deployed to the end user. When a new auxiliary device is released, it is not necessary for the end user to bring the mobile telephone back into a service facility. It is merely necessary for the new device to be connected to the mobile phone.

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This is in sharp contrast to Hallikaen et al. wherein it is merely data identifying the type of auxiliary device that is acquired from the auxiliary device, and not the actual audio setting parameters, which are internally stored in the mobile phone.

In view of the above, it is respectfully submitted that independent method Claim 1 and independent apparatus Claim 5 are directed to patentable subject matter. Withdrawal of the rejection is respectfully requested.

Claims 2-4, and 6-13 each depend from one of independent Claims 1 or 5. These claims recite further limitations, which in combination with the limitations of the independent claims, are not closed or suggested in the art of record.

Newly added Claims 10 and 12 specify that the audio parameters are other than data used to recognize the type of auxiliary device. Support for this amendment can be found in the last paragraph of page 2 of the specification, wherein the present invention is

distinguished from Hallikaen et al.. Thus, the Applicants' respectfully disagree with the Examiner in the statement of page 3 of the Office Action which says that the claimed "audio parameters" also read on the audio as being sent from the auxiliary device because this is not what in fact is done in Hallikaen et al. However, Claims 10 and 12 serve to further distinguish Applicants' invention in making it clear that the audio parameters are other than data used to recognize the type of auxiliary device.

New Claims 11 and 13 specify that all of the audio parameters are loaded into the digital signal processor from the auxiliary device or from the writable mass storage. *it is the claim*
 These claims also further distinguish from Hallikaen et al. where the audio parameters are stored in the mobile phone and are not read from a writable memory or from the auxiliary device.

For the reasons set forth above, and for the reasons set forth with respect to Claims 1 and 5, it is submitted that Claims 10-13 are also directed to patentable subject matter.

Newly added independent method Claim 14 and independent device Claim 18 are similar to independent Claims 1 and 5 respectively, except that the audio parameters are loaded from a writable mass storage device. As noted in the specification, starting on page 13 and continuing on to page 15, there is a tremendous advantage to having a writable mass storage device from which the audio parameters can be loaded. With specific reference to page 15, lines 31-35, application software can be loaded into an electronic device which is already on the market, for example, in connection with maintenance. Updating can provide the possibility of loading audio parameters for new auxiliary devices or changing the parameters for old auxiliary devices.

Hallikaen et al. does not teach or suggest the use of a writable mass storage device. On the contrary, with reference to page 3, lines 8-11, the microprocessor stores in its own memory identification data of the auxiliary device and in its own memory the amplification parameters. Thus, Hallikaen also teaches away from the present invention

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 where a separate writable memory, as specifically recited in Claims 14 and 18, serves as the source of the audio parameters.

Newly added Claim 27, which depends from Claim 14 and newly added Claim 28 which depends from Claim 18 specify that the writable mass storage is a flash memory. There is no teaching or suggestion in Hallikaian that the audio parameters be stored in a flash memory. As noted above with respect to Claims 14 and 18, the flash memory is writable and can be reprogrammed at a service center to enter additional or different data for additional or different auxiliary devices. Again, Hallikaian et al. does not teach or suggest applicant's invention as set forth in Claims 27 and 28.

The remaining claims not discussed above depend from either Claim 14 or Claim 18 and are similar to Claims 2-4 and 6-13. For the reasons set forth above, it is respectfully submitted that the remaining claims are also directed to patentable subject matter.

It is respectfully submitted that all the claims are now in condition for allowance in that they patentably distinguish over the art. Accordingly, a favorable action indicating such condition is earnestly solicited.

A check for \$222.00 to cover additional claim fees required by this amendment is submitted herewith. If any additional fee is required, please charge deposit account number 16-1350.

Respectfully submitted,



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Date



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